

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

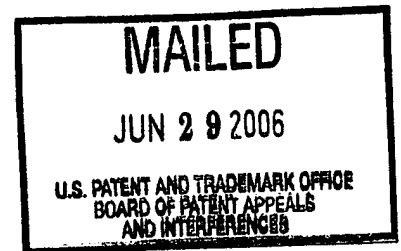
UNITED STATES PATENT AND TRADEMARK OFFICE

**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Ex parte CURTIS E. FARRELL and DENNIS D. LIU

Appeal No. 2005-1775
Application No. 10/034,788

HEARD: December 14, 2005



Before PATE, McQUADE, and CRAWFORD, Administrative Patent Judges.
PATE, Administrative Patent Judge.

DECISION ON APPEAL

This is an appeal from the final rejection of claims 3-12, 14 and 15. These are all the claims in the application.

The claimed subject matter is directed to a wafer transfer machine for transferring semiconductor wafers from a first wafer cassette to a second wafer cassette having incompatible registration features. A method of transferring wafers is also claimed.

The claimed invention may be further understood with reference to the appealed claims, a copy of which is appended to the appellants' brief.

The references:

Nichols et al. (Nichols '662)	5,735,662	Apr. 7, 1998
Nichols et al. (Nichols '575)	5,730,575	Mar. 24, 1998
De Luna, Jr. et al.	US2002/0098067	Jul. 25, 2002

THE REJECTIONS

Claims 3, 5-10, 12, 14 and 15 stand rejected under 35 U.S.C. §103 as unpatentable over Nichols '575 in view of Nichols '662.

Claims 4 and 11 stand rejected under 35 U.S.C. §103 as unpatentable over Nichols '575 and Nichols '662 further in view of De Luna.

For the complete details of the examiner's rejections reference is made to the examiner's answer.

For appellants' arguments with respect to the examiner's rejections reference is made the appeal brief.

OPINION

We have carefully reviewed the rejections on appeal in light of the appellants' specification and in view of the applied prior art and the arguments of the appellants and the examiner. As a result of this review we will affirm the rejection of independent claim 3 and the claims that depend thereupon.

Claim 3 is directed to a wafer transfer machine. However we note that the only argued difference between claim 3 and the prior art as applied by the examiner is that the first registration feature and the second registration feature are incompatible. See the appeal brief on pages 5-7. It is important to realize that these registration features are part of the wafer carrying cassettes and not part of the wafer transfer machine. As such, the registration features do not serve to distinguish the claimed subject matter of a wafer transfer machine over the examiner's applied prior art. Along this line, we merely point out that Nichols '575 does disclose two sets of registration bosses that extend upward and are for engaging any wafer cassette placed thereupon. Therefore, there is nothing in appellants' claim to distinguish over the wafer transfer machine in the applied prior art. Accordingly, the rejections of claims 3-12 are affirmed.

Turning to the independent method claim 14 and claim 15, which depends thereupon, these claims are directed to a method of transferring semiconductor wafers from one cassette to another. Accordingly, the incompatible registration features of the various claimed cassettes are part of the claimed subject matter. In our view, the applied prior art does not teach or suggest a table with bosses that enter and engage incompatible registration features on the two wafers cassettes used in the method. Accordingly, the obviousness rejection of claims 14 and 15 is reversed

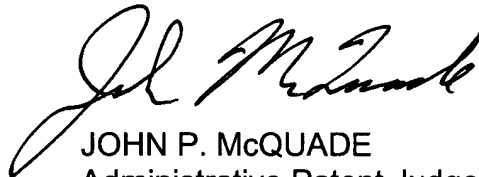
In summary, the rejections of the article claims 3-12 are affirmed. The rejection of the method claims 14 and 15 is reversed.

No time period for taking any subsequent action in connection with this appeal
may be extended under 37 CFR § 1.136(a).

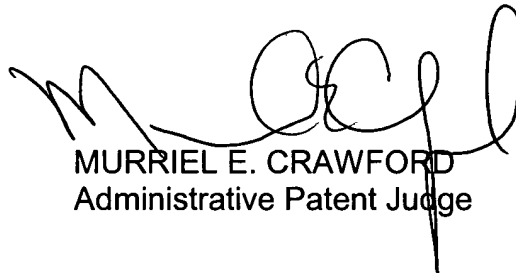
AFFIRMED-IN-PART



WILLIAM F. PATE, III
Administrative Patent Judge



JOHN P. McQUADE
Administrative Patent Judge



MURRIEL E. CRAWFORD
Administrative Patent Judge

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